

### **REMARKS**

This amendment is responsive to the Office Action dated November 10, 2005. Applicant has amended claims 39, 41, 54, 55, 57, 59, 60, 62, 64-66, 68, 74, and 79, and cancelled claims 53, 56, 58, 67 and 76. Claims 39-43 and 47-52, 54-55, 57, 59-66, 68-75 and 77-80 are pending.

#### **Rejection for Obviousness-type Double Patenting:**

The Examiner provisionally rejected claims 39, 40, 42, 43, 47, 48, 55, 79 and 80 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 9 of copending Application No. 09/900,514 in view of Pelisster (USPN 6,654,369). Applicants note the provisional status of this rejection. Accordingly, Applicants will address this issue if and when the rejection is formally applied.

#### **Allowable Subject Matter**

In the Office Action, the Examiner indicated that claims 41, 53, 54, 57-59, 62, 64, 67-69, 73, 75, 76, and 78 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this amendment, Applicant has amended claim 39 to include subject matter from allowable claim 53 and any intervening claims. Consequently, claim 39 and all claims dependent therefrom are in condition for allowance.

Applicant has rewritten allowable claim 41 in independent form including all subject matter from base claim 39. Consequently, claim 41 is in condition for allowance.

Applicant has amended independent claim 55 to include subject matter from allowable claim 58 and intervening claim 56. Consequently, claim 55 and all claims dependent therefrom are in condition for allowance.

Applicant has rewritten allowable claim 57 in independent form including all subject matter from base claim 55 and intervening claim 56. Consequently, claim 57 is in condition for allowance.

Applicant has rewritten allowable claim 62 in independent form including all subject matter from base claim 55 and intervening claims 56 and 60. Consequently, claim 62 is in condition for allowance.

Applicant has rewritten allowable claim 64 in independent form including all subject matter from base claim 55 and intervening claim 63. Consequently, claim 64 is in condition for allowance.

Applicant has amended independent claim 65 to include subject matter from allowable claim 67 and any intervening claims. Consequently, claim 65 and all claims dependent therefrom are in condition for allowance.

Applicant has amended independent claim 74 to include subject matter from allowable claim 76 and any intervening claims. Consequently, claim 74 and all claims dependent therefrom are in condition for allowance.

Applicant has amended independent claim 79 to include subject matter from allowable claim 64 and intervening claims 55 and 63. Consequently, claim 79 and all claims dependent therefrom are in condition for allowance.

### CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

By:

December 7, 2005  
SHUMAKER & SIEFFERT, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

Kent J. Sieffert  
Name: Kent J. Sieffert  
Reg. No.: 41,312